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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

FILED at 6:05 P.M.
August 12, 2004
Hilda Choe
DEPUTY CLERK, U.S. DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA

DIAHANN STEVENS,

Plaintiff,

v.

Civil Action No. 5:04-CV-201-3

HOWARD RICHARD SILLS
Badge No. 117,

Defendant.

ANSWER OF DEFENDANT TO SUPPLEMENTAL COMPLAINT

COMES NOW the defendant in the above-styled action and files these defenses in response to plaintiff's supplemental complaint.

FIRST DEFENSE

Plaintiff's supplemental complaint fails to state a claim upon which relief can be granted against this defendant.

SECOND DEFENSE

This defendant incorporates by reference herein those defenses set forth in his answer to the plaintiff's original complaint filed in this action.

THIRD DEFENSE

This defendant answers the respective numbered paragraphs of plaintiff's supplemental complaint as follows:

"A. JURISDICTION"

1.

This defendant denies that plaintiff has any legitimate claim against this defendant under 42 U.S.C. § 1983 or under any other law. This defendant is at this time without

knowledge or information as to the truth of the remaining allegations contained in paragraph 1.

"B. NATURE OF CASE"

2.

This defendant admits he is the Sheriff of Putnam County, Georgia; however, this defendant denies the remaining allegations contained in paragraph 2.

3.

This defendant shows no response is required to paragraph 3. To the extent a response could be deemed required, this defendant is at this time without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3.

"C. FIRST CAUSE(S) OF ACTION AND NARRATIVE"

1.

This defendant admits the allegations contained in paragraph 1.

2.

This defendant admits the allegations contained in the first of the three paragraphs enumerated as paragraph 2 under the heading First Cause(s) of Action and Narrative in plaintiff's supplemental complaint.

2.

In response to the allegations contained in the second of the three paragraphs enumerated as paragraph 2 under the heading First Cause(s) of Action and Narrative in plaintiff's supplemental complaint, this defendant admits that some alleged victims and

witnesses came forward during the latter part of the time period alleged; however, this defendant denies the remaining allegations contained in said paragraph.

3.

In response to the allegations contained in paragraph 3, this defendant admits that on or about May 8, 2002, the Federal Bureau of Investigation and the Putnam County Sheriff's office executed lawful search warrants, both federal and state, on the property at 404 Shadydale Road in Putnam County; however, this defendant denies as pled the remaining allegations contained in the first of the two paragraphs enumerated as paragraph 3 under the heading First Cause(s) of Action and Narrative in plaintiff's supplemental complaint.

2.

This defendant admits that the plaintiff and her family were not kept apprised of the progress of the joint federal and state criminal investigation; however, this defendant denies the remaining allegations contained in the third of the three paragraphs enumerated as paragraph 2 under the heading First Cause(s) of Action and Narrative in plaintiff's supplemental complaint.

6.

In response to paragraph 6, this defendant admits that said paragraph contains at least substantially accurate quotations from a newspaper article appearing in the Union Recorder; however, to the extent any further response to paragraph 6 is required, the allegations contained therein are denied.

3.

This defendant specifically denies there has been any "misuse of power" by him and denies that he has failed to provide plaintiff equal protection under the law as alleged in the second of the two paragraphs enumerated as paragraph 3 under the heading First Cause(s) of Action and Narrative in plaintiff's supplemental complaint. To the extent any further response can be made to paragraph 3, said paragraph is denied as pled.

4.

This defendant is at this time without knowledge or information sufficient to form a belief as to whether the quotations contained in paragraph 4 are accurate; however, this defendant denies the remaining allegations contained in said paragraph.

"D. SECOND CAUSE(S) OF ACTION AND NARRATIVE"

1.

In response to paragraph 1, this defendant admits he was interviewed for an article in the Union Recorder in early July, 2004; however, this defendant denies the allegation that he slandered the plaintiff in said interview. To the extent any further response is required to paragraph 1, this defendant is at this time without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in said paragraph.

2.

In response to paragraph 2, this defendant is at this time without knowledge or information sufficient to form a belief as to the plaintiff's allegations regarding: the absence of prior litigation by the plaintiff; whether the plaintiff is law abiding; and what principles and

values the plaintiff holds in the utmost respect. However, this defendant denies the remaining allegations contained in paragraph 2.

"E. INJURY"

1.

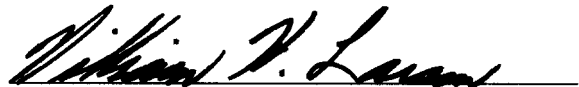
This defendant denies the allegations contained in paragraph 1.

"F. PRAYER FOR RELIEF"

1.

To the extent a response may be deemed required, this defendant denies the allegations contained in paragraph 1. This defendant further denies that the plaintiff is entitled to any recovery in any amount against this defendant.

WHEREFORE, having filed these defenses, this defendant prays that they be inquired into and sustained by the Court and that he be discharged.



WILLIAM H. LARSEN
Georgia Bar No. 438481
Attorney for Defendant

OF COUNSEL:

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VERIFICATION

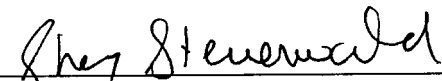
GEORGIA, PUTNAM COUNTY

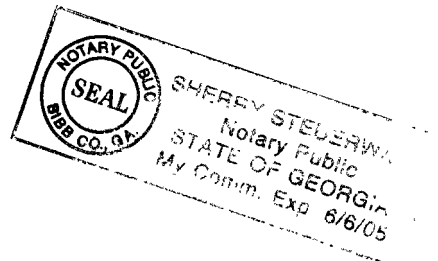
Personally appeared before the undersigned authority, Howard Richard Sills, who, on oath, says that the facts contained in the foregoing answer to supplemental complaint are true to the best of his knowledge and belief.

This 2 day of August, 2004.


HOWARD RICHARD SILLS

Sworn to and subscribed before me
this 2 day of August, 2004.


Notary Public



CERTIFICATE OF SERVICE

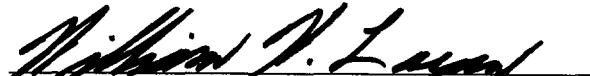
GEORGIA, BIBB COUNTY

This is to certify that I have this day served a copy of the foregoing ANSWER OF DEFENDANT TO SUPPLEMENTAL COMPLAINT upon:

Diahann Stevens
227 Rocksprings Homes
Athens, Ga 30606
Plaintiff

by placing a true and correct copy of same in the United States Mail in an envelope properly addressed and with adequate postage thereon to ensure delivery thereto.

This 2nd day of August, 2004.


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